

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 26<sup>th</sup> day of September, two thousand and twelve,

Iowa Public Employees' Retirement System,

Plaintiff - Appellant,

Public Employees' Retirement System of Mississippi,

Movant - Appellant,

Locals 302 & 612 of the International Union of Operating Engineers-Employers Construction Industry Retirement Trust, City of South San Francisco, City of Long Beach, County of Tuolumne, City of Fremont, New Jersey Carpenters Health Fund, Boilmakers-Blacksmith National Pension Trust, New Jersey Carpenters Health Fund, on behalf of itself and all others similarly situated, Monique Fong Miller, Alex E. Rinehart, Jo Anne Buzzo, Maria DeSousa, Linda Demizio, American National Insurance Company, American National Life Insurance Company of Texas, Comprehensive Investment Services Inc, The Moody Foundation, Washington State Investment Board, Christopher Corado, individually and on behalf of all others similarly situated, Sylvia Remer, Ed Davis, Juan Tolosa, Arthur Simons, Ralph Rosato, Trustee J. Harry Pickle, Zenith Insurance Co., Alameda County Employees' Retirement Association, American European Insurance Company, Government of Guam Retirement Fund, Inter-Local Pension Fund Graphic Communications Conference of the International Brotherhood of Teamsters, Marsha Kosseff, Northern Ireland Local Governmental Officers Superannuation Committee, Operating Engineers Local 3 Trust Fund, Operative Plasterers and Cement Masons International Association Local 262 Annuity Fund, Individually and

**ORDER**

Docket No. 11-1982

**USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:** \_\_\_\_\_  
**DATE FILED:** September 26, 2012

on behalf of all others similarly situated, Police and Fire Retirement System of the City of Detroit, Teamsters Allied Benefit Funds, The City of Edinburgh Council as Administering Authority of the Lothian Pension Fund, The Pension Fund Group, Brockton Contributory Retirement System, Rick Fleischman, Stephen Gott, Island Medical Group, Karim Kano, Michael Karfunkel, Ann Lee, Francisco Perez, Ronald Profili, Shea-Edwards Limited Partnership, Fred Telling, Grace Wang, Zahniser Trust, Anthony Peyser, On behalf of himself and all others similarly situated, Stephen P. Gott, On behalf of himself, Stephen P. Gott, All others similarly situated, Belmont Holdings Corp., individually and on behalf of all others similarly situated, Kathy Rooney, on behalf of themselves and all others similarly situated, Jeffrey Stark, on behalf of themselves and all others similarly situated, Stanley Tolin, Enrique Azpiazu, Stuart Bregman, Roberta Ciacchi, Robert Feinerman, Irwin Ingwer, Phyllis Ingwer, Christopher Lewis, on behalf of himself and The Entertainment Group, Island Medical Group Pension Plan, f/b/o Irwin Ingwer, Franklin Kass, Aurora Perez, Cuauhtemoc Perez, Diana Perez, Trustee J. Harry Pickle, Gastroenterology Associates Profit Sharing Trust FBO Charles M. Brooks, M.D., Alejandro Silva, David Sosna, Mortgage Trust 2007-6, Alaska Electrical Pension Fund, On behalf of itself and all others similarly situated, Madeline Dimodica,

Plaintiffs,

City of Edinburgh Council as Administering Authority of the Lothian Pension Fund,

Petitioner,

John F. Akers, ABN AMRO Holding N.V., ANZ Securities, Inc., Michael L. Ainslie, BBVA Securities Inc., Banc of America Securities LLC, CIBC World Markets Corp., Cabrera Capital Markets LLC, Caja de Ahorros y Monte de Piedad de Madrid, Erin Callan, Citigroup Global Markets Inc., Thomas H. Cruikshank, daiwa Securities SMBC Europe Limited, DnB NOR Markets, Marsha Evans Johnson, Christopher Gent, Joseph M. Gregory, HVB Capital Markets, Inc., Harris

Nesbitt Corp., Roland A. Hernandez, Henry Kaufman, Lehman Brothers Holdings, Inc., Loop Capital Markets, LLC, Ian Lowitt, John d. Macomber, Mellon Financial Markets, LLC, Merrill Lynch, Pierce, Fenner & Smith, Inc., Morgan Stanley & Co. Inc., Christopher M. O'Meara, RBC Dain Rauscher Inc., RBS Greenwich Capital, SG Corporate & Investment Banking, Santander Investment Securities Inc., Siebert Capital markets, Sovereign Securities Corporation, LLC, SunTrust Robinson Humphrey, Inc., UBS Securities LLC, Utendahl Capital Partners, L.P., Wachovia Capital Markets, LLC, Wells Fargo Securities, LLC, William Capital Group, L.P., nabCapital Securities, LLC, BNY Mellon Capital Markets, LLC, Calyon Securities (USA) Inc., DnB NOR Markets, BMO Capital Markets Corp., National Australia Bank Limited, RBC Capital Markets Corp., SG Americas Securities LLC, Wachovia Securities LLC, The Williams Capital Group, L.P., BNP Paribas S.A, Charles Schwab & Co., inc., Commerzbank Capital Markets Corp., Edward D. Jones & Co., L.P., Fidelity Capital Markets Services, HSBC Securities (USA) Inc., Incapital LLC, Ing Financial Markets LLC, M.R Beal & Company, Muriel Siebert & Co. Inc., nabCapital Securities, LLC, Natixis Bleichbroeder Inc., Raymond James & Associates, Inc., Scotia Capital (USA) Inc., TD Securities (USA) LLC, UBS Financial Services, Inc., ABN AMRO Inc., B.C. Ziegler and Company, Credit Suisse Securities (USA) LLC, D.A Davidson & Co., Davenport & Company LLC, Ferris Baker Watts & incorporated, Fifth Third Securities, Inc., Fixed Income Securities, Inc., H & R Block Financial Advisors, Inc., Capitan Ronald Hernandez, Jackson Securities LLC, Janney Montgomery Scott LLC, Keefe, Bruyette & Woods, Inc., Keybank Capital Markets, Inc., Maxim Group LLC, Mesropw Financial, Inc., Morgan Keegan & Company, Inc., National Financial Services LLC, Oppenheimer & Co., Inc., Piper Jaffray & Co., Robert W. Baird & Co. Incorporated, SMH Capital Inc., Scott & Stringfellow, Stifel, Nicolaus & Company Incorporated, Sone & Youngberg LLC, TD Ameritrade Holding Corporation, Vining sparks IBG, LP, Zions Direct, Inc., BNC Mortgage Loan Trust 2006-1, BNC Mortgage Loan Trust 2006-2, First Franklin Mortgage Loan Trust 2006-FF12, First Franklin Mortgage Loan

Trust 2006-FF2, First Franklin Mortgage Loan Trust  
 2006-FFA, First Franklin Mortgage Loan Trust  
 2006-FFB, GreenPoint Mortgage Funding Trust Series  
 2006-AR4, GreenPoint Mortgage Funding Trust Series  
 2006-AR5, GreenPoint Mortgage Funding Trust Series  
 2006-AR7, GreenPoint Mortgage Funding Trust, Series  
 2006-AR6, GreenPoint Mortgage Funding Trust, Series  
 2006-AR8, GreenPoint Mortgage Funding Trust, Series  
 2007-AR1, GreenPoint Mortgage Funding Trust, Series  
 2007-AR3, Lehman Mortgage Trust 2006-2, Lehman  
 Mortgage Trust 2006-5, Lehman Mortgage Trust  
 2006-6, Lehman Mortgage Trust 2006-7, Lehman  
 Mortgage Trust 2006-8, Lehman Mortgage Trust  
 2006-8, Lehman Mortgage Trust 2006-9, Lehman  
 Mortgage Trust 2007-1, Lehman Mortgage Trust  
 2007-2, Lehman Mortgage Trust 2007-3, Lehman  
 Mortgage Trust 2007-4, Lehman XS Trust 2005-5N,  
 Lehman Mortgage Trust 2007-5, Lehman XS Trust  
 2005-4, Lehman XS Trust 2005-6, Lehman XS Trust  
 2005-7N, Lehman XS Trust 2005-8, Lehman XS Trust  
 2005-9N, Lehman XS Trust 2006-1, Lehman XS Trust  
 2006-11, Lehman XS Trust 2006-13, Lehman XS Trust  
 2006-14N, Lehman XS Trust 2006-15, Lehman XS  
 Trust 2006-16N, Lehman XS Trust 2006-17, Lehman  
 XS Trust 2006-18N, Lehman XS Trust 2006-19,  
 Lehman XS Trust 2006-20, Lehman XS Trust  
 2006-2N, Lehman XS Trust 2006-3, Lehman XS Trust  
 2006-4N, Lehman XS Trust 2006-5, Lehman XS Trust  
 2006-GP1, Lehman XS Trust 2006-GP2, Lehman XS  
 Trust 2007-1, Lehman XS Trust 2007-10H, Lehman  
 XS Trust 2007-11, Lehman XS Trust 2007-12N,  
 Lehman XS Trust 2007-2N, Lehman XS Trust  
 2007-4N, Lehman XS Trust 2007-5H, Lehman XS  
 Trust 2007-6, Lehman XS Trust 2007-7N, Lehman XS  
 Trust 2007-9, Lehman XS Trust Series 2005-5N,  
 Lehman XS Trust Series 2005-7N, Lehman XS Trust  
 Series 2005-9N, Lehman XS Trust Series 2006-16N,  
 Lehman XS Trust Series 2006-2N, Structured  
 Adjustable Rate Mortgage Loan Trust 2006-10,  
 Structured Adjustable Rate Mortgage Loan Trust  
 2006-11, Structured Adjustable Rate Mortgage Loan  
 Trust 2006-12, Structured Adjustable Rate Mortgage  
 Loan Trust 2006-2, Structured Adjustable Rate  
 Mortgage Loan Trust 2006-3, Structured Adjustable  
 Rate Mortgage Loan Trust 2006-4, Structured

Adjustable Rate Mortgage Loan Trust 2006-8, Structured Adjustable Rate Mortgage Loan Trust 2006-9, Structured Adjustable Rate Mortgage Loan Trust 2007-1, Structured Adjustable Rate Mortgage Loan Trust 2007-2, Structured Adjustable Rate Mortgage Loan Trust 2007-3, Structured Adjustable Rate Mortgage Loan Trust 2007-4, Structured Adjustable Rate Mortgage Loan Trust 2007-5, Structured Adjustable Rate Mortgage Loan Trust 2007-6, Structured Asset Investment Loan Trust 2006-2, Structured Asset Investment Loan Trust 2006-BNC1, Structured Asset Investment Loan Trust 2006-BNC3, Structured Asset Securities Corporation, Structured Asset Securities Corporation Mortgage Loan Trust 2006-BC1, Structured Asset Securities Corporation Mortgage Loan Trust 2006-BC2, Structured Asset Securities Corporation Mortgage Loan Trust 2006-BC3, Structured Asset Securities Corporation Mortgage Loan Trust 2006-BC4, Structured Asset Securities Corporation Mortgage Loan Trust 2006-BC5, Structured Asset Securities Corporation Mortgage Loan Trust 2006-BC6, Structured Asset Securities Corporation Mortgage Loan Trust 2006-S1, Structured Asset Securities Corporation Mortgage Loan Trust 2006-S3, Structured Asset Securities Corporation Mortgage Loan Trust 2006-S4, Structured Asset Securities Corporation Mortgage Loan Trust 2006-WF1, Structured Asset Securities Corporation Mortgage Loan Trust 2006-WF3, Structured Asset Securities Corporation Mortgage Loan Trust 2007-BC1, Structured Asset Securities Corporation Mortgage Loan Trust 2007-BC2, Structured Asset Securities Corporation Mortgage Loan Trust 2007-BC3, Structured Asset Securities Corporation Mortgage Loan Trust 2007-EQ1, Structured Asset Securities Corporation Mortgage Loan Trust 2007-OSI, Structured Asset Securities Corporation Mortgage Loan Trust 2007-WF1, Does 1-20, Greenpoint Mortgage Funding Grantor Trust 1-A1A, Series 2006-AR6, Greenpoint Mortgage Funding Grantor Trust 1-A2A2, Series 2006-AR5, Greenpoint Mortgage Funding Grantor Trust 1-A3A2, Series 2006-AR5, Greenpoint Mortgage Funding Trust 1-A2A2, Series 2006-AR6, Greenpoint Mortgage Funding Trust 1-A2B, Series 2006-AR6,

Greenpoint Mortgage Funding Trust 1-A3B, Series 2006-AR6, Greenpoint Mortgage Funding Trust, Series 2006-AR2, Lehman Brothers, Inc, Lehman Mortgage Trust 2007-6, Lehman Mortgage Trust Mortgage Pass-Through Certificates, Series 2007-4,

Consolidated-Defendants,

v.

Lana Franks, Edward Grieb, Richard McKinney, Kristine Smith, James J. Sullivan, Samir Tabet, Mark L. Zusy,

Defendants - Appellees,

RBS Greenwich Capital,

Defendant-Counter-Claimant,

Ernst & Young LLP, A.G Edwards & Sons, Inc., Moody's Corp., BNY Capital Markets, Inc., Richard S. Fuld, Jr., Roger S. Berlind, BBVA Securities Inc., Citigroup Inc., RBS Securities Inc., UBS Securities LLC, DZ Financial Markers LLC, Jerry A. Groundhofer, Williams Capital Group, L.P, Wendy M. Uvino, ABN AMRO Holding N.V, The McGraw-Hill Companies, Inc., Moody's Investors Service, Incorporated, ANZ Securities, Inc., Banc of America Securities LLC, BBVA Securities Inc., M.R. Beal & Company, BNP Paribas S.A, BNY Mellon Capital Markets, LLC, Cabrera Capital Markets LLC, Charles Schwab & Co., inc., CIBS World Markets Corp., Citigroup Global Markets Inc., Commerzbank Capital Markets Corp., DnB NOR Markets Inc., DZ Financial Markets LLC, Fidelity Capital Markets Services, Fortis Securities, LLC, BMO Capital Markets Corp., HSBC Securities (USA) Inc., Ing Financial Markets LLC, Loop Capital Markets, LLC, Mellon Financial Markets , LLC, Merrill Lynch, Pierce , Fenner & Smith, Inc, Mizuho Securities USA, Inc., Morgan Stanley & Co. Inc., Muriel Siebert & Co., Inc., nabCapital Securities, LLC, National Australia Bank Limited, Natixix Bleichroeder Inc., Raymond James & Associates, Inc., RBC Capital Markets Corp., Santander Investment

Securities Inc., Scotia Capital (USA) Inc., SG Americas Securities LLC, Sovereign Securities Corporation LLC, Standard Chartered Bank, SunTrust Robinson Humphrey, Inc., TD Securities (USA) LLC, UBS Securities, LLC, Utendahl Capital Partners, L.P., Wachovia Capital Markets LLC, Wachovia Securities, LLC, Wells Fargo Securities, LLC, The Williams Capital Group, L.P, Zions Direct, Inc., Calyon Securities (USA) Inc., RBS Securities Inc, The McGraw Hill Companies, Inc, Morgan Stanley & Co, Inc., RBC Capital Markets Corp., Wachovia Capital Markets, LLC, Piper Jaffray & Co., ABN AMRO Inc., J.P Morgan Securities, Inc.,

Defendants,

Mizuho Securities USA, Inc, GreenPoint Mortgage Funding Trust Series 2006-HE1,

Counter-Claimant.

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The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to FRAP 42.

The stipulation is hereby "So Ordered".

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court



A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

